

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AUTO INDUSTRIES SUPPLIER
EMPLOYEE STOCK OWNERSHIP
PLAN (ESOP),

Plaintiff,

v.

Case No. 03-74357

SNAPP SYSTEMS, INC., a
Delaware Corporation,

HONORABLE AVERN COHN

Defendant/Third-Party Plaintiff,

v.

FORD MOTOR COMPANY, SUSAN E.
KOBET, DIANE SENDEK MARCHESE,
CARMEN ZIRLES, and JEFFREY D.
COLLINS,

Third-Party Defendants.

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TRIAL SCHEDULING ORDER

The Court held a final pretrial conference in this case on April 6, 2007 at which it set dates for certain actions by the parties and made rulings on pending motions. This scheduling order is intended to memorialize the dates and rulings.

1. The Court approved the Joint Final Pretrial Order filed April 5, 2007.
2. Each party lodged with the Court a witness list. At trial, each party may call not more than thirty (30) witnesses. Realistic final witness lists shall be filed with the Court by April 30, 2007. The lists shall include the names of the witnesses and a brief description

of the proposed testimony of each witness.

3. Each party lodged with the Court an exhibit list. At trial, each party may introduce into evidence not more than one hundred (100) exhibits, including sub-parts. Plaintiff's exhibits shall be denominated PX; defendants' exhibits shall be denominated DX. The parties represented to the Court there will not be more than fifty (50) joint exhibits, to be denominated JX. Realistic final exhibit lists shall be filed with the Court by April 30, 2007.

4. The Stipulation of Facts contained in the Joint Final Pretrial Statement shall be separately filed with the Court by April 30, 2007, together with an appendix containing the documents and papers referenced in it.

5. Plaintiff shall file with the Court by April 30, 2007 a draft verdict form and instructions on the law of the case. Defendants shall not respond.

6. Each party is allocated seventy-five (75) trial hours which includes cross-examination of the opposite party's witnesses, and excludes opening and closing arguments. For good cause shown the hours may be enlarged.

7. At trial, as a witness is called, the Court shall be given a folder (8½ by 11) containing the exhibits to be referenced in the witness' testimony and a list of such exhibits.

8. Plaintiff shall file with the Court by April 30, 2007 a description of the damages claimed in detail in tabular form.

9. Plaintiff shall file with the Court by April 30, 2007 a succinct description of the evidence, including dates supporting its law of tortious interference with a business advantage as to each of the following:

- Covisint

- General Motors
- Loral
- e-Steel
- Third-Party Suppliers
- GRI
- Direct Sourcing Solutions

10. Ford's Motion to Dismiss Individual Third-Party Defendants is GRANTED without prejudice to their reinstatement in the event plaintiff's fraud claim is reinstated.

11. SNAPP's Request For Rule 30(b)(6) Deposition filed March 2, 2007 is MOOT.

12. SNAPP's Motion to Strike Ford's Motion for Summary Judgment is DENIED.

13. SNAPP's Motion to Clarify the Bifurcation Order is DENIED. The matters implicated by the motion are better dealt with in light of the verdict form.

14. Ford's Emergency Motion filed April 2, 2007 is DENIED.

15. Ford's Motion for Summary Judgment filed March 27, 2007 is DENIED WITHOUT PREJUDICE. It may be reinstated on request following the filing of a Statement of Material Facts Not In Dispute in the form described at the hearing, accompanied by an appendix of relevant portions of documents and papers described in the Statement. If the Statement is filed, a disk shall be given to SNAPP, so its response, paragraph by paragraph, can be included in a single paper.

16. Motions in *limine* relating to the trial shall be filed not less than seven (7) days prior to the date of trial. No response shall be filed to a motion without permission of the Court.

17. A conference shall be held on Friday, May 4, 2007 at 2:00 p.m. in order to set the date for trial.

18. There are no pending motions.

Any objections to this Scheduling Order shall be lodged with the Court by letter only within forty-eight (48) hours.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: April 9, 2007

I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, April 9, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160